

1 RICHARD M. FOSTER (SBN 93909)
richard@rmflaw.com
2 **LAW OFFICES OF RICHARD M. FOSTER**
5429 Cahuenga Boulevard
3 North Hollywood, CA 91601
Telephone: (818) 508-1500
4 Facsimile: (818) 508-1529

5 Attorneys for Plaintiff
NUNE SHAKHRAMANYAN
6

7 PHILLIP A. TALBERT
United States Attorney
8 JOSEPH B. FRUEH
Assistant United States Attorney
9 501 I Street, Suite 10-100
Sacramento, CA 95814
10 E-mail: joseph.frueh@usdoj.gov
Telephone: (916) 554-2702
11 Facsimile: (916) 554-2900

12 Attorneys for Defendant
UNITED STATES OF AMERICA
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15 IN THE UNITED STATES DISTRICT COURT
16 EASTERN DISTRICT OF CALIFORNIA
17

18 NUNE SHAKHRAMANYAN,
19 Plaintiff,
20 v.
21 UNITED STATES,
22 Defendant.

No. 1:23-cv-01010-MCE-AC

**STIPULATION AND PROPOSED ORDER
FOR RULE 35 PHYSICAL EXAMINATION**

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1 IT IS HEREBY STIPULATED, by and between the parties through their undersigned counsel,
2 as follows:

3 1. Plaintiff Nune Shakhramanyan will undergo a physical examination conducted by
4 Dr. Michael Hembd, M.D., at 2600 W. Olive Avenue 5th Floor, Suite 500, Burbank, CA 91505. The
5 examination will occur on October 4, 2024, at 11:00 a.m. The examination will take approximately one
6 to two hours to complete.

7 2. Dr. Hembd will conduct a standard musculoskeletal examination to assess the injuries
8 that Plaintiff attributes to the accident that occurred on June 29, 2020, to include her head, neck, chest
9 and abdomen, cervical and thoracic spine, parietal bone, basilar skull, shoulder, clavicle, hand, and
10 wrist, and spine. The examination will include a detailed medical history.

11 3. Plaintiff shall answer relevant and appropriate inquiries made by Dr. Hembd so that he
12 can medically evaluate the nature, extent, and cause of Plaintiff's condition as well as her prognosis.
13 Dr. Hembd's inquiries shall be reasonably calculated to elicit information about the nature, extent,
14 cause, and prognosis of Plaintiff's injuries.

15 4. Plaintiff will not be required to perform movements or exercises that cause her pain.
16 Plaintiff shall inform Dr. Hembd and stop any movements or exercises that cause her pain.

17 5. Two American Sign Language ("ASL") interpreters provided by Cal Interpreting &
18 Translations shall be present during the examination to facilitate communication between Plaintiff and
19 Dr. Hembd.

20 6. Other than Dr. Hembd, Plaintiff, Plaintiff's sister Narine Shakhramanyan, and the ASL
21 interpreters, no other observers will be permitted in the examination. No audiovisual recording of the
22 examination will be permitted.

23 7. Dr. Hembd shall receive a copy of this executed Stipulation.

24 8. Defendant shall provide Plaintiff's counsel with a report of the examination consistent
25 with Federal Rules of Civil Procedure 35(b) and 26(a)(2) and the Court's Scheduling Order.

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9. The cost of the examination and ASL interpreters shall be borne by the Defendant.

Dated: LAW OFFICES OF RICHARD M. FOSTER

LAW OFFICES OF RICHARD M. FOSTER

By: _____

RICHARD M. FOSTER

Attorneys for Plaintiff
NUNE SHAKHRAMANYAN

PHILLIP A. TALBERT
United States Attorney

By: JOSEPH B. FRUEH
Assistant United States Attorney

Attorneys for Defendant
UNITED STATES OF AMERICA

IT IS SO ORDERED

Dated: September 18, 2024

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE